



Control Number: 44069



Item Number: 42

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House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014

SOAH

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SOAH DOCKET NO. 582-06-1697
TCEQ DOCKET NO. 2005-2092-UCR
2015 JAN -7 AM 9:35
PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF THE CITY OF
COLLEGE STATION TO AMEND
SEWER CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
BRAZOS COUNTY

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

ORDER NO. 13
GRANTING REQUEST FOR ADDITIONAL ABATEMENT

On February 5, 2008, the City of College Station (College Station or Applicant) timely filed a status report requesting that the abatement period in this case be continued. The parties are working on settlement and have made some progress.

Applicant's request for an additional abatement period has merit and is GRANTED. College Station shall file a status report on or before April 7, 2008.

SIGNED February 20, 2008.


LILLO D. POMERLEAU
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

CHIEF CLERKS OFFICE

FEB 20 AM 9:58

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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TEXAS
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SERVICE LIST

AGENCY: Environmental Quality, Texas Commission on (TCEQ)
STYLE/CASE: CITY OF COLLEGE STATION
SOAH DOCKET NUMBER: 582-06-1697
REFERRING AGENCY CASE: 2005-2092-UCR

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HEARINGS**

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REGARDING: ORDER NO. 13 - GRANTING REQUEST FOR ADDITIONAL ABATEMENT
DOCKET NUMBER: 582-06-1697

Table with 2 columns: FAX TO: and JUDGE LILO D POMERLE AU. Rows include recipients like BLAS J. COY, JR., ROBIN A. MELVIN, BILL DUGAT, LEONARD H DOUGAL, MARK ZEPPA, KAYLA MURRAY, and DOCKET CLERK.

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SOAH DOCKET NO. 582-06-1697
TCEQ DOCKET NO. 2005-2092-UCR

2008 APR -8 AM 10: 58

CITY OF COLLEGE STATION'S
APPLICATION TO AMEND
SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY
IN BRAZOS COUNTY

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§
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BEFORE THE STATE OFFICE
CHIEF CLERKS OFFICE

OF

ADMINISTRATIVE HEARINGS

**STATUS REPORT AND UNOPPOSED
MOTION TO EXTEND ABATEMENT PERIOD**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

The City of College Station ("College Station" or "City") files this Status Report and Unopposed Motion to Extend Abatement Period.

INTRODUCTION

In Order No.13, the last Order issued in this Docket, the ALJ requested that College Station submit a status report. Settlement negotiations are still active and the parties request further abatement of the schedule in an attempt to settle the matter.

BACKGROUND

This docket has been abated with 60 day status reports due as the parties attempt to settle the case. The last report was filed on February 5, 2008 and the ALJ continued the abatement period 60 days with a status report due on April 7, 2008.

STATUS REPORT

The City is actively working on two options for settlement. One option is to amend the City's application to delete areas proposed by Wellborn Special Utility District ("WSUD"). The

City's planning department is evaluating WSUD's proposal and intends to provide useful information to support a counterproposal.

College Station is also pursuing an alternative settlement option where it will take over the wastewater treatment plant ("WWTP") owned by Main Street Homes ("MSH") and operated by WSUD and resolve the CCN dispute at the same time. This alternative requires satisfying concerns of landowners downstream from the WWTP who are in litigation with MSH. The City is working with the downstream landowners' proposal to send effluent from the WWTP to a City lift station.

MOTION FOR EXTENSION OF ABATEMENT AND CONCLUSION

College Station requests continuation of an indefinite abatement with a requirement to report every 60 days. Under this proposal, College Station will submit a status report to the ALJ on or before June 6, 2008. Counsel for College Station has conferred with Leonard Dougal, counsel for WSUD, Rick Jenkins of MSH and MSH's counsel, Mark Zeppa, and Kayla Murray, counsel for the Executive Director. All parties concur with this request.

Respectfully submitted,

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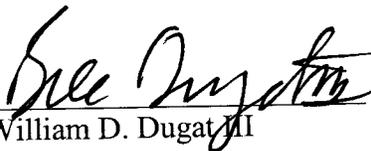

William D. Dugat III
State Bar No. 06173600

ATTORNEYS FOR COLLEGE STATION

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that on this 7th day of April, 2008, a true and complete copy of the foregoing was sent to the following by facsimile, overnight delivery, or by first class mail:

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